

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

SAUDDY NOEMI HERNANDEZ ONEILL
JOAN LAUREANO COLON

DEBTORS

CASE NO. 19-06674/EAG

CHAPTER 13

**DEBTORS' MOTION REQUESTING ORDER
RE: RATIFICATION OF THE USE OF FUNDS FROM 2019, 2020, 2021 and
2022 TAX REFUNDS**

TO THE HONORABLE COURT:

NOW COME, SAUDDY NOEMI HERNANDEZ ONEILL and JOAN LAUREANO COLON, the Debtors through the undersigned attorney, and very respectfully state and pray as follows:

1. The Debtors' confirmed Chapter 13 Plan dated February 24, 2020, Docket No. 19, provides that the Debtors' tax refunds will be paid into the Plan, in the above captioned case.

2. That on December 21, 2023, the Debtors submitted to the Chapter 13 Trustee a copy of the Debtors' 2019, 2020, 2021 and 2022 tax returns.

3. That the Debtors received the following tax refunds for the following years:

---2019	\$ 808.00
---2020	\$ 665.00
---2021	\$ 498.00
---2022	\$ 900.00
Total	<u>\$2,871.00</u>

4. The Debtors respectfully admit that the funds from the aforementioned tax refunds were not paid into the Plan and that the Debtors forgot to request prior Court

authorization for the use of the funds from above mentioned 2021 and 2022 tax refunds.

5. That the Debtors respectfully inform to the Court that they used these funds to cover for the following expenses:

---2019 tax refund (\$808.00): due the coronavirus lockdown, the Debtor had an extraordinary increase in the household expenses for food and utilities and the monies from the 2019 tax refund (\$808.00) were used to cover these extraordinary expenses.

---2020 tax refund (\$665.00): the 2020 tax refund was used to cover car repairs.

---2021 tax refund (\$498.00): the 2021 tax refund was used to pay medical expenses for the Debtor.

---2022 tax refund (\$900.00): the 2022 tax refund was used to cover house repairs expenses and car repairs expenses for the Joint Debtor's 2013 Dodge Avenger motor vehicle.

6. The Debtors needed to use the funds from 2019, 2020, 2021 and 2022 "tax refund" to pay for these reasonable expenses. Furthermore, the Debtors are living within a very "tight" budget which barely covers the living expenses and a Plan payment of \$377.00.

7. Based on the above-stated, the Debtors respectfully request this Honorable Court to Order the ratification of the use of aforementioned 2019, 2020, 2021 and 2022 tax refunds, in the above captioned case.

WHEREFORE, the Debtors, through the undersigned attorney respectfully requests that this Honorable Court grant the foregoing motion and allow the use of the

funds from the 2019, 2020, 2021 and 2022 tax refunds by the Debtors in the above captioned case.

NOTICE: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006 (f) if you were served by mail, any party against whom this paper has been served, or any other party to the action that objects to the relief sought herein shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I **CERTIFY** that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, the US Trustee's Office and to all CM/ECF participants; I also certify that a copy of this motion was sent via US Mail to the Debtors, Sauddy Noemi Hernandez Oneill and Joan Laureano Colon, to the address of record: RR6 Box 6936, Toa Alta, PR 00953.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 21st day of December 2023.

/s/ Roberto Figueroa Carrasquillo

USDC #203614

RFIGUEROA CARRASQUILLO LAW OFFICE PSC

ATTORNEY FOR the DEBTOR

PO BOX 186 CAGUAS PR 00726

TEL 787-744-7699 /787-963-7699

Email: rfc@rfigueroalaw.com